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4 Attorney for Defendant, PAUL WHITMORE

5
6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
8

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 PAUL WHITMORE,

13 Defendant.
14

CASE NO: CRF-02-5301 OWW

15
16 **STIPULATION AND ORDER**
17 **TO CONTINUE HEARING AND**
18 **RESET BRIEFING SCHEDULE**
19

20 The parties hereto, by and through their respective attorneys, stipulate and
21 agree that the hearing scheduled for October 10, 2006, be continued until
22 October 30, 2006 at 1:30 p.m. in the above-entitled court.

23 Moving papers to be filed on behalf of defendant must be submitted to the
24 court by October 13, 2006. Government's response must be submitted to the
25 court by October 27, 2006.

26 This continuance is necessitated by ongoing investigation being conducted
27 by defense counsel to obtain information necessary to support Mr. Whitmore's
28 motion to vacate his Waiver of Jury Trial.

DATED: September 29, 2006

/s/ David Gappa

DAVID GAPPA

Assistant United States Attorney

**This was agreed to by Mr. Gappa
via telephone, on September 29, 2006**

1 DATED: September 29, 2006

/s/ Roger K. Litman
ROGER K. LITMAN
Attorney for Defendant
PAUL WHITMORE

5 **ORDER**

6 The court having considered the stipulation of the parties and GOOD CAUSE
7 APPEARING, the court now orders that the hearing currently scheduled for October
8 10, 2006, be continued to October 30, 2006 at 1:30 p.m.

9 IT IS SO ORDERED.

10 **Dated: October 3, 2006**
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE